



Richard Lee Student Accommodation

"Not just a house... a place to call home"

PRIVACY NOTICE

For Tenants & Guarantors, from Landlord

This Privacy Notice covers our entire business, trading as "Richard Lee Accommodation Ltd." & "Richard Lee Student Accommodation"

What this Notice is about

This Privacy Notice tells you what information we obtain and hold about you. Whether you are initially applying to us for a tenancy or if you become a tenant or guarantor, it explains what information we collect, why we collect it, and what we do with it, as well as who we share it with. We collect and handle personal information about our tenants and prospective tenants along with any guarantors to enable us to provide residential accommodation. This includes dealing with applications for tenancies, checking the suitability of tenants, along with any guarantors (including credit, immigration and similar referencing checks), arranging lettings, property management (including dealing with repairs), rent collection, dealing with any complaints, maintaining our accounts and records, tenancy terminations and administering tenancy deposits. You should read this notice when you give us information, so you are aware of how and why we are using this. Please update us if any information supplied by you changes.

Why we are giving you this notice

We are required by data protection law to give you this notice. We must be open with you about why information is collected about you and then what is done with it. We must act fairly in relation to this information.

Under data protection legislation we can only process data "as necessary" and only to the extent that it is needed. For example, we can use your bank details regarding payments and other limited purposes only. However, in certain instances, as necessary, we can share any of your data, e.g. with our own professional advisers or letting and managing agents. We may also share

Office Address: 17 Church Road, Upper Boddington, Daventry, Northamptonshire, NN11 6DL

Telephone: 07949 078172 / 01327 263917

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any of your data, as necessary, with the police/law enforcement agencies, local authorities or regulatory bodies.

References to a tenant in this notice also include a guarantor if there is one. This is because a guarantor underwrites a tenant's obligations so references to your tenancy are to include your guarantee.

The data we collect/hold about you

We use different ways to collect data about you including the information you supply to us when applying for a tenancy. If you fail to provide this information, we may not be able to proceed.

As necessary, personal data is processed by us relating to tenants, prospective tenants & guarantors consisting of some or all of the following, as applicable: -

- Identity and contact details including car registration
- Personal/background information including occupation/status
- Bank details
- Verification and credit status
- Property ownership status
- Deposit (if any) including return on tenancy termination
- Tenancy details including renewals, joint tenants and guarantors
- Immigration/right to rent checks (England only)
- Rent and other payments
- Recovery of arrears, claims or possession proceedings
- Potential criminal convictions
- Repairs/health and safety/housing conditions
- Breach of tenancy terms/nuisance/anti-social behaviour
- Council Tax liability
- Water charges payable
- Utilities and services provided
- Welfare Benefits

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- Termination of tenancy
- Audio and CCTV recordings (if any)
- Complaints
- Insurance
- Health or disability (including whether smoker/non-smoker)
- Emails texts and other communications and via our website where we operate one.
- Website and online portal information.

We also generate and use data internally, e.g. our rent records.

We also collect and receive data about you from third parties. This may be information given to us by other tenants or neighbours. It can include information from a guarantor or from a joint tenant. Public bodies such as local authorities or the police, or other law enforcement agencies, may give us information about you. Information may be given to us relevant to Council Tax by the local authority. Utility companies or service providers may also give us personal information about you. We obtain information about you when we carry out credit checks or take up references. We may also receive information from you via websites or from online rental portals such as Open-rent, Gumtree, Student Pad, Accommodation for Students or Rightmove.

Sharing data with others

We will share information we hold with others, where this is necessary. When we do this, we must comply with data protection legislation. Information can be shared with other landlords including where you apply to another landlord for a tenancy; contractors/suppliers; utilities and service providers; tradespeople; financial organisations (including banks and insurance companies); debt collection and tracing agents; public and government bodies; courts; police and law enforcement agencies; taxation authorities; local authorities in relation to Council Tax and regulatory functions; letting and managing agents; and any future owner of the property. We may need to share information with your next of kin etc., e.g. in an emergency. It may be necessary for us to share information with a future owner of the property if we are selling. We also may share information with professional advisers such as lawyers and accountants or an advice agency which involves sharing information about you with them. We also send notifications to

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and have correspondence with any tenancy deposit scheme protecting any tenancy deposit which has been paid. In some cases, we may be under a legal obligation to provide information either because of the law or because of a contractual obligating binding on us. What we share will depend on what is necessary in the circumstances.

Joint tenants and guarantors

We will share information either with the joint tenant or the guarantor (or both). This relates to your performance of your responsibilities under the tenancy agreement including information about any rent arrears or other breach of the tenancy terms. It can also relate to issues around the termination of the tenancy and any claims we may have as a result.

Immigration/right to rent checks

By law, in England, we are required to check your immigration status before we rent a property to you. This means that you are legally obliged to produce certain documentation (e.g. a passport or driving licence) to us. This applies whether or not you are a UK or EU citizen. Not only are we required to see original documentation, but we must take and keep copies of it.

Search engines, websites, etc

As necessary, we obtain information about you which is publicly available via search engines such as Google or Facebook and websites. This will include information about you which you yourself made public.

Special categories of data/sensitive personal data

In limited situations we will process information about your health or any disability. This data is given special protection under data protection law. Normally we would expect to ask you for your explicit consent before we collect or use this kind of data.

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Obligation to process data

Private renting is highly regulated, so we are under various legal obligations. These include an obligation to carry out gas safety checks under gas safety legislation. We may need to handle data for this purpose, e.g. to give the contracted gas safety engineer access to the property.

Legally we must also hold and process information relating to any tenancy deposit which you pay to us including sharing your information with a deposit scheme by which any deposit is protected.

Under any statutory licensing schemes applicable to the property we may be required to give information to the local housing authority relating to your occupation of the property. Similarly, there are various regulatory requirements which may mean that we need to give information about you to public or local authorities or other regulatory authorities.

Council Tax

We notify the local authority of your occupancy relevant to the collection of Council Tax. In any event they are entitled to serve notice upon us requiring this information if they choose to do so. We will provide the local authority with the full names of all tenants on a joint tenancy before occupation, plus details of the property and the tenancy agreement.

The reason for doing this is that it is the tenants' responsibility to pay Council Tax (or to provide the local authority with acceptable exemption documentation, e.g. "Certificate of Full-Time Student Status"), where those tenants have signed a joint tenancy and can reasonably be described as a genuine and cohesive group of sharers (as opposed a situation where tenants are not necessarily known to each other and/or have individual tenancy agreements).

Why we collect data and the legal basis for processing your personal data

We must tell you why we collect and hold information about you.

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We must also have a legal basis before we can collect or process your personal data.

Processing personal data includes recording, storing, altering, using, sharing or deleting data.

We only need one of these "gateways" and for our purposes they are –

- You consent. Consent may be requested in certain cases, e.g. to obtain a reference but generally we do not rely on your consent to process your personal data.
- To perform our contract so that we can carry out our responsibilities under the tenancy agreement with you, including anything you request us to do with a view to you becoming a tenant (or resident).
- Compliance by us with a statutory or other legal obligation.
- Where this is in your vital interests, e.g. if there is a life-threatening situation.
- Where we are pursuing our own legitimate interests or those of a third party. This will not apply if our interests are overridden by your interests or your fundamental rights and freedoms. We must carry out a balancing exercise therefore to decide whether we can rely on this gateway to ensure that it applies. In each case we have done this, and we do not consider your interests, rights or freedoms outweigh our own or those of the third party concerned.

Why we process your data

The various purposes for which it may be necessary for us to process various categories of your information include: -

- In our legitimate interests for deciding on the suitability of a proposed tenant
- Our legal obligation to check immigration status/right to rent. This is also to verify identities
- In our legitimate interests for verifying the credit worthiness/suitability of tenants
- To perform our tenancy contract to deal with joint tenants who are linked to the tenancy
- To perform our contract to complete the tenancy agreement
- In our legitimate interests to secure rental payments/performance of tenant obligations, e.g. deposits and guarantors

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- For contractual performance for rent collection and collection of other payments including banking details
- For contractual performance for managing the tenancy and the property
- For contractual performance and/or in our legitimate interests for record keeping
- For contractual performance for arranging repairs and maintaining the condition of the property and keeping it in a safe condition.
- For contractual performance for monitoring and enforcement of tenant responsibilities
- For contractual performance or in our legitimate interests for recovering debts and other payments due, including any possession proceedings
- In our legitimate interests for administering liability for Council Tax
- In our legitimate interests and those of the provider relating to arranging and paying for utilities and services (if applicable)
- In our legitimate interests in relation to tenancy termination including the return of any deposit
- In our legitimate interests for processing complaints
- For contractual performance or in our legitimate interests for dealing with health and disability issues relating to tenants
- In our legitimate interests for obtaining and holding audio and CCTV recordings (if applicable)
- To perform our legal obligations to provide information to public or local authorities who are legally entitled to require this information
- In your vital interests for contacting next of kin etc., in an emergency
- In our legitimate interests for the storage of emails, records of calls and other communications
- In accordance with our legal obligations if you exercise your rights under data protection law
- To perform our legal obligations for compliance with legal and regulatory requirements
- In our legitimate interests for the establishment and defence of legal rights
- In our legitimate interests for prevention, detection and investigation of crime and anti-social behaviour and the security of any website or other means of electronic communication

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We may change the purposes where this is compatible for the purpose for which we obtained the data originally. We may process your information without your knowledge where this is required or permitted by law.

Retaining Communications

We will monitor, record and retain your calls, emails, text messages, social media messages and other communications. This is in our legitimate interests to maintain an accurate record of these. This may be necessary to manage your tenancy or the property or to deal with your application for a tenancy or to deal with tenants or prospective tenants/guarantors. We need these records for our ongoing dealings with you, including our data protection obligations.

Length of storage of data

Data can only be stored on a time limited basis and not indefinitely. We will hold personal data about you for the duration of your tenancy and for seven years after your tenancy has ended. This is the statutory limitation period six years plus a further year to allow for service of proceedings should proceedings commence later. We are also required to retain information for up to six years for tax purposes. If your tenancy application does not go ahead then we retain data for one year.

Storage and security of data

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

All our information is stored securely electronically on servers or devices. Certain information is also retained on a secure basis in hard copy format.

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Telephone calls

To protect our legitimate interests telephone conversations may be recorded electronically for monitoring and to ensure that we have a record of what is said. You or others may leave messages when calling.

Information legally required under your tenancy agreement

Your tenancy agreement provides that in certain situations you must give us information when asked. This is a legal obligation because it is a contractual requirement. You should refer to the relevant clauses in your tenancy agreement which tell you the situations in which such information must be given.

Your rights

Where we hold personal data about you, you are the data subject. Data protection legislation gives you several rights. To exercise any of these rights you should contact us. You can do so by email at the address shown at the bottom of each page or you can telephone us on either of the numbers given. You can also write to us at the address given.

Complaints

We operate our own internal complaints policy and if you have any concerns about the way in which we collect, or handle data please contact us.

Additionally, you have the right to lodge a complaint with the Supervisory Authority who is –

Information Commissioner
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk

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